



COUNCIL OF THE DISTRICT OF COLUMBIA

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ZACHARY PARKER

Ward 5 Councilmember
Chair, Committee on Youth Affairs

COMMITTEE MEMBER

Health
Human Services
Transportation and the Environment

October 4, 2025

Nyasha Smith, Secretary
Council of the District of Columbia
1350 Pennsylvania Avenue NW
Washington, DC 20004

Dear Secretary Smith,

Today, I am introducing the Statutory Neglect Amendment Act of 2025. Please find enclosed a signed copy of the legislation. This legislation is co-introduced by Councilmember Anita Bonds.

This legislation is designed to consolidate, standardize, and streamline the current neglect code in the District of Columbia. As it stands today, the code is fragmented, outdated, and difficult to parse for interpretation. This legislation makes several key changes to clarify and modernize these vital statutory rules. These legislative updates are more reflective of the practices employed by the Child and Family Services Agency and are intended to work in harmony with other aspects of child welfare legislation.

This legislation:

- consolidates various sections of the DC code related to child abuse;
- separates definitions of “abused” and “abandoned” to reduce legal ambiguity;
- prohibits using welfare status, homelessness, or unstable housing as sole grounds for neglect findings;
- distinguishes physical discipline from physical injury to reduce misinterpretation;
- aligns with national child welfare best practices that emphasize family preservation and reduce unnecessary removals; and
- reduces racial and economic bias in neglect findings, which disproportionately affect low-income and Black families.

I look forward to promoting this dynamic legislation with my colleagues to deliver better outcomes for CFSA-involved youth and families. With these changes, the District’s statutory neglect code can serve as a robust legal standard.

Please do not hesitate to contact my Committee Director, Thomas Franco, at tfranco@dccouncil.gov or my Legislative Assistant, Allison Bailey, at abailey@dccouncil.gov with any questions or concerns.

Signed,

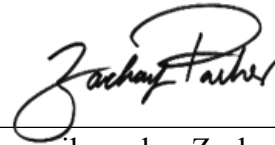
A handwritten signature in blue ink that reads "Zachary Parker". The signature is fluid and cursive, with the first name "Zachary" and last name "Parker" clearly legible.

Zachary Parker
Councilmember, Ward 5
Chair, Committee on Youth Affairs
Council of the District of Columbia

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Councilmember Anita Bonds



Councilmember Zachary Parker

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 23 of Title 16 of the District of Columbia Official Code to consolidate, standardize, and update the statutory definition of neglect; To amend Title 1 of the Prevention of Child Abuse and Neglect Act of 1977 to clarify that the Child and Family Services Agency shall not use a parent or guardian's eligibility for or use of public benefits as the sole evidence that parental failure is unrelated to neglect and to clarify that homelessness or lack of stable housing shall not be used as sole evidence of neglect.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Statutory Neglect Amendment Act of 2025."

Sec. 2. Chapter 23 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-2301(9)(A) is amended to read as follows:

“(A) The term “neglected child” means a child:

“(i) who has been abused by their parent, guardian, or custodian, or whose parent, guardian, or custodian has failed to take actions that are reasonable under the circumstances to protect the child from abuse;

“(ii) who is suffering or there is a substantial risk that the child will suffer serious physical, mental or emotional harm or illness, based on consideration of the totality of the circumstances, as a result of any of the following:

35 “(I) The failure of the child’s parent, guardian, or custodian to plan for or
36 provide adequate supervision for the child, after considering such factors as the child's age,
37 mental ability, physical condition, and environment; or

38 “(II) The failure of the child’s parent, guardian, or custodian to plan for or
39 provide the child with adequate food, clothing, or shelter; education; or treatment or care
40 necessary for the child’s physical or mental health, provided the failure is not due solely to lack
41 of financial means, demonstrated by reasonable efforts by the Child and Family Services Agency
42 pursuant to §4-1301.09a.

43 “(iii) who has been abandoned;

44 “(iv) whose parent, guardian, or custodian refuses, is unavailable, or is unable to
45 continue providing for or assuming the child’s care, control, or subsistence;

46 “(v) who is in imminent danger of being abused and another child living in the
47 same household or under the care of the same parent, guardian, or custodian has been abused;

48 “(vi) who is born dependent on a controlled substance or has a significant
49 presence of a controlled substance their system at birth;

50 “(vii) in whose body there is a controlled substance as a direct and foreseeable
51 consequence of the acts or omissions of the child’s parent, guardian, or custodian;

52 “(viii) who is regularly exposed to illegal drug-related activity in the home;

53 “(ix) who has been subjected to, or is in imminent danger of being subjected to,
54 female genital mutilation pursuant to § 22-1431(b); or

55 “(x) whose parent, guardian, or custodian can give no satisfactory explanation for
56 evidence of illness or injury to the child.”.

57 (b) Section 16-2301(23)(A) is amended to read as follows:

58 “(A) The term “abused” when used with reference to a child, means:

59 “(i) infliction of physical injury;

60 “(ii) infliction of mental injury;

61 “(iii) sexual abuse or exploitation;

62 “(iv) exposure to domestic violence as defined by section § 4-551;

63 “(v) mistreatment of the child by withholding adequate food, clothing, shelter, or
64 medical care;

65 “(vi) interfering with a child's breathing; or

66 “(vii) threatening a child with a firearm, a knife, or any of the prohibited weapons
67 described in § 22-4514.”.

68 (c) Section 16-2301(23)(B)(i) is amended to read as follows:

69 “(i) For the purposes of this subchapter, the term “abuse” does not include physical
70 discipline administered by a parent, guardian, or custodian to their child, provided that the child
71 is at least 3 years of age, and the physical discipline is reasonable in manner and moderate in
72 degree.”.

73 (d) A new Section 16-2301(52) is added to read as follows:

74 “(52)(A) The term “abandoned” means a child:

75 “(I) whose parent, guardian, or legal custodian has not made reasonable
76 efforts to maintain a parental relationship with the child for a period of at least four (4) months;
77 or

78 “(II) who has resided in a hospital located in the District of Columbia for
79 at least 10 days following the birth of the child and the parent-of the child did not undertake any
80 action or make any effort to maintain a parental-relationship or contact with the child or hospital.

81 “(B) A child who is surrendered pursuant to the District’s Safe Haven law as pursuant to
82 § 4-1451 shall not be considered abandoned.”.

83 (c) Paragraph (24) is stricken.

84 Sec. 3. Title 1 of the Prevention of Child Abuse and Neglect Act of 1977, effective
85 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.04 *et seq.*), is amended as
86 follows:

87 (a) New subsections 106(b-1) and 106(b-2) are added to read as follows:

88 “(b-1) A finding by the Agency of a parent or guardian’s eligibility for or receipt of
89 public benefits shall not be used by the Agency as the sole basis to establish that parental failure
90 is unrelated to a lack of financial means under §16-2301(9)(A)(ii).

91 “(b-2) Homelessness or lack of stable housing shall not be used by the Agency as the sole
92 basis for substantiating neglect under § 16-2301(9)(A).”

93 Sec. 3. Fiscal impact statement.

94 The Council adopts the fiscal impact statement in the committee report as the fiscal
95 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
96 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

97 Sec. 4. Effective date.

98 This act shall take effect after approval by the Mayor (or in the event of veto by the
99 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
100 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
101 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
102 Columbia Register.